

## Fishery Conservation and Management

## § 622.34

grouper in the Gulf EEZ may not be harvested or possessed, as specified in § 622.181(b)(1).)

(b) *Goliath grouper*. Goliath grouper may not be harvested or possessed in or from the Gulf EEZ.

(c) [Reserved]

(d) *Gulf reef fish exhibiting trap rash*. Possession of Gulf reef fish in or from the Gulf EEZ that exhibit trap rash is prima facie evidence of illegal trap use and is prohibited. For the purpose of this paragraph, trap rash is defined as physical damage to fish that characteristically results from contact with wire fish traps. Such damage includes, but is not limited to, broken fin spines, fin rays, or teeth; visually obvious loss of scales; and cuts or abrasions on the body of the fish, particularly on the head, snout, or mouth.

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 78775, Dec. 27, 2013]

### § 622.34 Seasonal and area closures designed to protect Gulf reef fish.

(a) *Closure provisions applicable to the Madison and Swanson sites and Steamboat Lumps, and the Edges*—(1) *Descriptions of Areas*. (i) The Madison and Swanson sites are bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
A .....	29°17'	85°50'
B .....	29°17'	85°38'
C .....	29°06'	85°38'
D .....	29°06'	85°50'
A .....	29°17'	85°50'

(ii) Steamboat Lumps is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
B .....	28°14'	84°37'
C .....	28°03'	84°37'
D .....	28°03'	84°48'
A .....	28°14'	84°48'

(iii) The Edges is bounded by rhumb lines connecting, in order, the following points:

Point	North lat.	West long.
A .....	28°51'	85°16'
B .....	28°51'	85°04'
C .....	28°14'	84°42'
D .....	28°14'	84°54'
A .....	28°51'	85°16'

(2) Within the Madison and Swanson sites and Steamboat Lumps, possession of Gulf reef fish is prohibited, except for such possession aboard a vessel in transit with fishing gear stowed as specified in paragraph (a)(4) of this section.

(3) Within the Madison and Swanson sites and Steamboat Lumps during November through April, and within the Edges during January through April, all fishing is prohibited, and possession of any fish species is prohibited, except for such possession aboard a vessel in transit with fishing gear stowed as specified in paragraph (a)(4) of this section. The provisions of this paragraph, (a)(3), do not apply to highly migratory species.

(4) For the purpose of paragraph (a) of this section, transit means non-stop progression through the area; fishing gear appropriately stowed means—

(i) A longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck.

(ii) A trawl net may remain on deck, but trawl doors must be disconnected from the trawl gear and must be secured.

(iii) A gillnet must be left on the drum. Any additional gillnets not attached to the drum must be stowed below deck.

(iv) A rod and reel must be removed from the rod holder and stowed securely on or below deck. Terminal gear (*i.e.*, hook, leader, sinker, flasher, or bait) must be disconnected and stowed separately from the rod and reel. Sinkers must be disconnected from the down rigger and stowed separately.

(5) Within the Madison and Swanson sites and Steamboat Lumps, during May through October, surface trolling is the only allowable fishing activity. For the purpose of this paragraph (a)(5), surface trolling is defined as fishing with lines trailing behind a vessel which is in constant motion at speeds in excess of four knots with a visible wake. Such trolling may not involve the use of down riggers, wire lines, planers, or similar devices.

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(6) For the purpose of this paragraph (a), fish means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals and birds. Highly migratory species means tuna species, marlin (*Tetrapturus spp.* and *Makaira spp.*), oceanic sharks, sailfishes (*Istiophorus spp.*), and swordfish (*Xiphias gladius*).

(b) *Seasonal closure of the recreational sector for red snapper.* The recreational sector for red snapper in or from the Gulf EEZ is closed from January 1 through May 31, each year. During the closure, the bag and possession limit for red snapper in or from the Gulf EEZ is zero.

(c) *Seasonal closure of the recreational sector for greater amberjack.* The recreational sector for greater amberjack in or from the Gulf EEZ is closed from June 1 through July 31, each year. During the closure, the bag and possession limit for greater amberjack in or from the Gulf EEZ is zero.

(d) *Seasonal closure of the recreational sector for shallow-water grouper (SWG).* The recreational sector for SWG, in or from the Gulf EEZ, is closed each year from February 1 through March 31, in the portion of the Gulf EEZ seaward of rhumb lines connecting, in order, the points in the following table. During the closure, the bag and possession limit for SWG in or from the Gulf EEZ seaward of the following rhumb lines is zero.

Point	North latitude	West longitude
1 .....	24°48.0'	82°48.0'
2 .....	25°07.5'	82°34.0'
3 .....	26°26.0'	82°59.0'
4 .....	27°30.0'	83°21.5'
5 .....	28°10.0'	83°45.0'
6 .....	28°11.0'	84°00.0'
7 .....	28°11.0'	84°07.0'
8 .....	28°26.6'	84°24.8'
9 .....	28°42.5'	84°24.8'
10 .....	29°05.0'	84°47.0'
11 .....	29°02.5'	85°09.0'
12 .....	29°21.0'	85°30.0'
13 .....	29°27.9'	85°51.7'
14 .....	29°45.8'	85°51.0'
15 .....	30°05.6'	86°18.5'
16 .....	30°07.5'	86°56.5'
17 .....	29°43.9'	87°33.8'
18 .....	29°43.0'	88°18.5'
19 .....	At State/EEZ line, follow State/EEZ line to point 20	88°56.0'
20 .....	At State/EEZ line	89°28.4'
21 .....	29°02.0'	89°45.5'
22 .....	28°32.7'	90°21.5'
23 .....	28°24.8'	90°52.7'
24 .....	28°42.3'	92°14.4'

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Point	North latitude	West longitude
25 .....	28°34.2'	92°30.4'
26 .....	28°27.6'	95°00.0'
27 .....	28°20.0'	95°06.9'
28 .....	28°02.2'	96°11.1'
29 .....	27°46.5'	96°38.1'
30 .....	27°15.0'	97°00.0'
31 .....	26°45.5'	97°01.4'
32 .....	At EEZ	96°51.0'

(e) *Seasonal closure of the recreational sector for gag.*

The recreational sector for gag, in or from the Gulf EEZ, is closed from January 1 through June 30 and December 3 through December 31, each year. During the closure, the bag and possession limit for gag in or from the Gulf EEZ is zero.

(f) *Seasonal closure of the commercial and recreational sectors for gray triggerfish.* The commercial and recreational sectors for gray triggerfish in or from the Gulf EEZ are closed from June 1 through July 31, each year. During the closure, all harvest or possession in or from the Gulf EEZ of gray triggerfish is prohibited and the sale and purchase of gray triggerfish taken from the Gulf EEZ is prohibited.

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 27087, May 9, 2013; 78 FR 33261, June 4, 2013]

§ 622.35 Gear restricted areas.

(a) *Reef fish stressed area.* The stressed area is that part of the Gulf EEZ shoreward of rhumb lines connecting, in order, the points listed in Table 2 in Appendix B of this part.

(1) A powerhead may not be used in the stressed area to take Gulf reef fish. Possession of a powerhead and a mutilated Gulf reef fish in the stressed area or after having fished in the stressed area constitutes *prima facie* evidence that such reef fish was taken with a powerhead in the stressed area. The provisions of this paragraph do not apply to hogfish.

(2) A roller trawl may not be used in the stressed area. Roller trawl means a trawl net equipped with a series of large, solid rollers separated by several smaller spacer rollers on a separate cable or line (sweep) connected to the footrope, which makes it possible to fish the gear over rough bottom, that is, in areas unsuitable for fishing conventional shrimp trawls. Rigid framed